

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Wells Fargo Bank, National Association, as Trustee for
Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage
Pass-Through Certificates, Series 2005-HE5



Order Filed on April 28, 2023
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-26692 SLM

Adv. No.:

Hearing Date: 3/22/2023@ 10:00 a.m.

Judge: Stacey Meisel

In Re:

Yohan Modesto Flores dba Essex Painting Group
INC

Debtor.

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: April 28, 2023

A handwritten signature in cursive script, reading "Stacey L. Meisel", is written over a horizontal line.
Honorable Stacey L. Meisel
United States Bankruptcy Judge

(Page 2)

Debtor: Yohan Modesto Flores dba Essex Painting Group INC

Case No: 18-26692 SLM

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION
OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Wells Fargo Bank, National Association, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 40-42 Greylock Place, Belleville, NJ, 07109, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Steven D. Pertuz, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of April 12, 2023, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due January 2023 through April 2023 for a total post-petition default of \$11,951.90 (4 @ \$3,962.44 less suspense \$3,897.86); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$11,951.90 will be paid by Debtor remitting \$1,991.99 per month for five months and \$1,991.95 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on May 1, 2023, and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume May 1, 2023, directly to servicer for Secured Creditor, Select Portfolio Servicing INC. (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$200.00 for attorneys' fees which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's certification of default is hereby resolved.

In re:
Yohan Modesto Flores
Debtor

Case No. 18-26692-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Apr 28, 2023

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 30, 2023:

Recip ID	Recipient Name and Address
db	+ Yohan Modesto Flores, 40-42 Greylock Place, Belleville, NJ 07109-1952

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 30, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 28, 2023 at the address(es) listed below:

Name	Email Address
Brian C. Nicholas	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Steven D. Pertuz	on behalf of Debtor Yohan Modesto Flores pertuzlaw@verizon.net G16461@notify.cincompass.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5